

East Longmeadow Planning Board

60 Center Square

East Longmeadow, Massachusetts 01028

Telephone: (413) 525-5400 - extension 1700 - Facsimile (413) 525-1656

since 1894

Michael Carabetta, chair

Alessandro Meccia, vice-chair

Tyde Richards, clerk

George Kingston

Ralph Page

robyn d. macdonald, director

rmacdonald@eastlongmeadowma.gov

Planning Board Minutes

July 29, 2014

Present were: Vice Chair, Alessandro Meccia, Clerk; Tyde Richards, George Kingston and Ralph Page. Michael Carabetta was not present.

At 6:00 p.m. the Vice Chair, Alessandro Meccia, opened the meeting and acknowledged that ELCAT was taping the meeting. He asked if anyone else was and, there being none, turned to greet Attorney James Martin and invited him to sit and address the Board.

Attorney James Martin re: 167 Canterbury Circle

Attorney Martin addressed the Board and brought to their attention that the only part of the subdivision plan that is recorded is the actual layout plan which does not show the building footprint. Attorney Martin explained to the Board that he wanted to make clear the fact that his client did not intentionally pour a foundation in violation of the zoning by-laws. He stated that Rick Granger, representative for the developer, submitted a plan and a check for a building permit to the Building Inspector. This was submitted on June 4, 2014 and at that time, the Building Inspector, Dan Hellyer, verbally approved the application, accepted the money and told Mr. Granger that he was all set. Based on this statement, Mr. Granger went ahead and had the foundation laid out, poured and inspected by the Building Inspector. According to Attorney Martin, Mr. Granger informed him that any time he applies for a building permit, the inspector states this and the actual permits are not received for approximately 2 to 3 weeks. This being no different, Mr. Granger did not hesitate to continue with his project.

Attorney Martin assured the members that he was not looking to change the Planning Board's opinion that the Building Inspector was incorrect in his decision, rather he was simply informing the Board that the Building Inspector verbally approved the permit and subsequently inspected the foundation.

Mr. Kingston assured Attorney Martin that he was not looking to criticize or blame the builder, rather it was his position that Mr. Hellyer was incorrect in his determination that the lot line was a side lot line when actually it is a rear lot line and the required setback is 50 feet. Mr. Page concurred as did Mr. Meccia. Mr. Richards stated that he felt the same however the builder must know that there is an appeal period for every permit and would think that they would wait the 30 day appeal period before starting their project to be sure that nothing would happen.

Attorney Martin reiterated that this is the way the Building Inspector has always done business and they did not think anything of it as he gave the go-ahead.

Mr. Meccia thanked Attorney Martin for appearing before the Board and letting them know of the circumstances.

Mr. Meccia called for a vote to file the appeal of the building inspector's decision regarding the site at 167 Canterbury Circle. Upon motion duly made by George Kingston and seconded by Ralph Page, the Board voted 4-0 to file the appeal with the Zoning Board of Appeals to overturn the decision of the building inspector with regard to the granting of a building permit in violation of the zoning by-law rear lot setback requirements.

Joyce Cohen Kroll – Waiver of Site Plan – Quality Respite Services, Inc. – 280 North Main Street

Mr. Richards read the request for Waiver of Site Plan Review submitted by Joyce Cohen Kroll for the operation of a business providing respite services to local agencies within the DDS as an on needed emergency basis. The location of her business will be 280 North Main Street in an existing office building. This use is an allowed use at this location.

With no further discussion and upon motion made by George Kingston and seconded by Ralph Page, the Board voted 4-0 to waive the site plan for this business at this location.

The members discussed the invitation for Sunday at Pine Knoll for the grand opening of the new swimming pool and National Night Out scheduled for August 5th at 5:00 p.m. at the High School.

With no further business and upon motion duly made by George Kingston and seconded by Ralph Page, the Board voted 4-0 to adjourn at 6:45 p.m.

For the Board

Tyde Richards, Clerk